GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT
(LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Commonwealth Tile Factory, Jeppu, Mangalore. Award of the Labour Court, Hubli: Published.

Read the following papers

1. Letter No. 1521/67-68, dated 24th October 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated: 24th October 1967.

Reference (ID) (LCH) No. 36 of 1967

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer.*

Between

The Workmen of the Commonwealth Tile Factory, Jeppu, Mangalore represented by the General Secretary, South Kanara Tile Workers' Union, Mangalore. ... *I Party*

and

The Management of Commonwealth Tile Factory, Jeppu, Mangalore, ... *II Party.*

This is an reference Under section 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 238 LLD 66, dated 10th May 1967. The points of dispute referred for adjudication are as under :—

Are the Management of Commonwealth Tile Factory, Jeppu, Mangalore Justified in dismissing the 8 workers *viz.*, (1) Smt. Bhavani, (2) Smt. Lakshmi (3) Smt. Kalyani, (4) Sri Narayana Nayak (5) Shri Devappa, (6) Shri Monappa, (7) Shri Nagappa and (8) Shri Domappa Belchade?

If Not, are the workers entitled for reinstatement with back wages ;

If not, to what other benefits are the workers entitled?

2. The cause of the aggrieved workmen has been sponsored and espoused by the South Kanara Tile Workers' Union, Mangalore represented by its General Secretary. Sri B. Koragappa

Rai, General Secretary of the Union appeared for the I Party while Sri S. R. Giri, Manager, appeared for the second. In response to the notices issued by the Court, the I Party files its claim statement. No counter-statement was filed by the II Party. In the meantime, the parties, having compromised the dispute sent a joint memo of settlement to the Court.

3, When the case was takenup for hearing at Mangalore camp on 20th October 1967, both the representatives of the parties admitted before me the execution of the joint memo of settlement, dated 28th September 1967 and the same was verified by me.

AWARD

The award is passed in terms of the joint memo of settlement marked Annexure A. The same shall be made part of the award. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place : Hubli.
Date : 24-10-1967.

ANNEXURE "A"

BEFORE THE LABOUR COURT, HUBLI.

Reference (ID) (LCH) No. 36 of 1967

Between

The Workmen of Commonwealth Tile Factory, Jeppu, Mangalore, represented by the General Secretary, South Kanara Tile Workers' Union, Bolar, Mangalore. ... *I Party*

and

The Management of The Commonwealth Tile Factory, Jappu, Mangalore ... *II Party*

Joint Statement by the Parties

The Government of Mysore by Order No. LMA 238 LLD 66 dated 10th May 1967 referred the following points of dispute for adjudication by this Hon'ble Court :

"Are the Management of Commonwealth Tile Factory, Jeppu, Mangalore justified in dismissing the 8 workers *viz.* 1. Smt. Bhavani, 2 Smt. Laxmi, 3. Smt. Kalyani, 4. Sri Narayana Nayak. 5. Sri Devappa. 6. Sri Monappa, 7. Sri Nagappa and 8. Sri Doomappa Belchade ?

If not, are the workers entitled for reinstatement with back wages; if not, to what other benefits are the workers entitled ".

The dispute was taken on the file of this Court as ID (I.CH) No. 86 of 1967; and is pending adjudication.

During the pendency of the dispute before this Court, the parties had direct negotiations as a result of which the following settlement is arrived at :

Terms and Conditions

(1) The Second Party Management agrees to treat the dismissal of the 8 workers as resignation by them.

(2) The Second Party management agrees to pay each of the 8 workers (a) Gratuity and (b) Rs. 100 each *ex-gratia.*

(3) The First Party Union agrees that they have no other claim monetary or otherwise against the Management.

(4) The I and II Parties agree that the amount as as per clause (2) of the agreement shall be handed over to the General Secretary of the Union, (who shall duly execute a receipt for the amount so paid), for the disbursement to the 8 workers.

(5) The Receipt given by the Secretary shall absolve the management of all liabilities under clause (2) of the Settlement.

(6) The I and II Parties pray that this Hon'ble Court be pleased to pass an award in terms of this settlement.

Dated this the 28th day of September, 1967.

Witnesses:
(1) Sd: XXX
(2) Sd: XXX

Sd/-
For and on behalf of the *I Party*
THE S. K. TILE WORKERS UNION,
Regd. No. 1406, BOLAR MANGALORE.

Sd/-
For and on behalf of the *II Party*
THE COMMONWEALTH TRUST LTD.
Deputy General Manager in India.

Sri B. Koragappa Rai, General Secretary of the I Party Union and Sri S. R. Giri, Manager of the II Party admitted before me the execution of this joint memorandom of settlement. Hence, verified.

Sd/-

Sd : B. Korgappa R i. *Presiding Officer, Labour, Court, Hubli.*

Sd : S. R. Giri. 20—10—1967.

Place : Hubli.
Date : 24-10-1967.

SYED AZIZUDDIN AHMED,
Presiding Officer.
Labour Court, Hubli.

ORDER.

Bangalore, dated 13th November 1967.

S. O. 2191.—WHEREAS by State Government Order No. LMA 238 LLD 66, dated 10th May 1967, the Industrial Dispute between the Workmen and the Management of Commonwealth Tile Factory, Jeppu, Mangalore was referred to the Labour Court, Hubli for adjudication,

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. FCL 238 LLD 66]

By Order and in the name of the Governor of Mysore,

1449 G. G. PUROHIT, *Under Secy.*